GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The Andhra Pradesh Minor Mineral Concession Rules, 1966 – Amendment to the Rule 12(5)(h)(viii) and 31(ix) of Andhra Pradesh Minor Mineral Concession Rules, 1966 – Notification – Issued.

Industries & Commerce (M.II) Department

G.O.Ms.No.58 Dated: 08-03-2019

1. G.O.Ms.No.1172, Ind. & Com. (B.I) Dept., Dt.04.09.1967.
2. S.O. No.141(E), Dt.15.01.2016 of MoEFCC, Govt. of India.
3. G.O.Ms.No.29, Ind. & Com. (M.II) Dept., Dt.15.02.2017.
4. G.O.Ms.No.183, Ind. & Com. (M.II) Dept., Dt.27.12.2017.
5. From the Director of M&G, AP, Lr.No.7836/P/2014, Dt.28.02.2019.

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Government after careful examination of the proposal of the Director of Mines & Geology, Andhra Pradesh in the reference fifth read above, the Government decided to make amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966.

2. Accordingly, the following Notification shall be published in an Extra-ordinary issue of the Andhra Pradesh Gazette, Dt.08-03-2019.

NOTIFICATION

In exercisee of the powers conferred by sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), as amended from time to time, the Governor of Andhra Pradesh hereby makes the following amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966 issued in G.O.Ms.No.1172, Industries & B.I) Department, the 4th September, 1967 as subsequently amended.

AMENDMENTS

In the said Rules:-

(1) In rule 12 (5) (h) (viii) (a), the following shall be substituted, namely,-

The holder of a Lease, with the prior written approval of the Director of Mines & Geology, may be permitted to transfer such Lease in favour of the existing mineral based industry or to a new mineral based industry, which shall be established within 2 years from the date of execution of transfer lease deed. If the Industry is not established within two(2) years, no further extension of time shall be granted and the lease shall be cancelled.

Contd…

The application for transfer of Lease shall be made to the Assistant Director of Mines & Geology concerned in Form-R along with the non-refundable application fee of Rs.10,000/- (Rupees ten thousand only) along with the copy of certificate issued by competent authority viz., the Registrar of firms or Registrar of Companies or Regional Director of Ministry of Company affairs, or such authority as the case may be as a proof of existence of Firm / Company. The transfer Lease deed shall be executed in Form-G as stipulated under rule 12(5)(e).

The permission for transfer of Lease shall be accorded on payment of an amount equivalent to Three (3)times of dead rent per hectare as charges for transfer, and the charges shall be remitted to 0853-102-81. Head of Account.

(2) In rule 12 (5) (h) (viii),

after clause (f), the following shall be added, namely,-

(g) Any changes in the holder of a lease be it a proprietorship/ partnership firm /Company, which have not been intimated and obtained permission from the Director prior to 15.02.2017 are permitted to apply for recognizing such changes in Form-R-2 through the Asst. Director of Mines & Geology along with the non-refundable application fee of Rs.10,000/- (Rupees ten thousand only) and copies of reconstitution deed /Registrar of Companies(RoC) filings reflecting such changes as the case may be.

The permission for effecting the changes shall be accorded by the Director on payment of an amount equivalent to Three(3) times of Dead Rent per hectare as charges for effecting such changes and the charges shall be remitted to 0853-102-81 Head of Account.

The lessee shall apply for such permission within 120 days from the date of this notification.

(h) The charges payable under sub-rule a, b, c, d & g may be remitted to 0853-102-81 Head of Account and the Transfer lease deed shall be executed in Form-G.

Contd…

(3) In rule 31 (ix),

(i) for clause (a), the following shall be substituted, namely,-

The holder of a lease, with the prior approval of the Deputy Director of Mines & Geology concerned, may be permitted to transfer such lease for captive purpose in favour of the existing mineral based industry or to a new mineral based industry with a condition that no permits will be issued till Commercial Operation Date (CoD) is declared by the competent authority for mineral processing and value addition.

The application for transfer of lease shall be made to the Assistant Director of Mines & Geology concerned in Form-R, along with the non-refundable application fee of Rs.10,000/- (Rupees ten thousand only) along with the copy of certificate issued by the competent authority permitting such transfer as a proof of existence of Firm/Company and operation of the industry. The transfer lease deed shall be executed in Form-G as stipulated under rule 13(1).

The permission for transfer of Lease shall be accorded on payment of an amount equivalent to Three (3) of dead rent per hectare as charges for transfer and the charges shall be remitted to 0853-102-81, Head of Account.

Such transfer shall be permitted only in favour of persons/entities owning the industry which would be consuming the mineral.

(ii) In rule 31 (ix) after clause (f), the following shall be added, namely,-

(g) Anychanges in the holder of a lease be it a Proprietorship/ partnershipfirm/company, which have not been intimated and obtained permission from the Deputy Director prior to 15.02.2017 are permitted to apply for recognizing such changes in Form-R-2 through the Asst. Director of Mines & Geology along with the non-refundable application fee of Rs.10,000/- (Rupees ten thousand only) and copies of reconstitution deed /Registrar of Companies(RoC) filings reflecting such changes as the case may be.

The permission for effecting the changes shall be accorded by the Director on payment of an amount equivalent to Three (3) times of Dead Rent per hectare as charges for effecting such changes and the charges shall be remitted to 0853-102-81 Head of Account.

Contd…

The lessee shall apply for such permission within 120 days from the date of this notification.

(h) The charges payable under sub-rule a, b, c, d & g may be remitted to 0853-102-81 Head of Account and the Transfer lease deed shall be executed in Form-G as stipulated under rule 13(1).

3) This order issues with the concurrence of the Finance Department vide their U.O. No. FIN01-FMU0ASD/85/2019-FMU-IC, Dt.08.03.2019.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

I. SRINIVAS SRINARESH
SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationery & Stores Purchases (Printing Wing), Andhra Pradesh, Vijayawada. (He is requested to publish the above Notification in the Extra Ordinary issue of A.P. Gazette, with immediate effect and arrange to send 200 copies of the same to the Government in Industries & Commerce (M.II) Department.)
The Director of Mines & Geology, A.P., Ibrahimpatnam, Vijayawada. (With a request to pursue the matter for publication.)
Copy to: The Law (H) Department.
The Finance (FMU) Department.
The P.S. to Secy. (Mines), Ind. & Com. Dept.
The PS to M (M&G)
Sf/Sc. (INC01-MG0MINM/3/2019-M-II)

//FORWARDED BY ORDER//

SECTION OFFICER